

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALVIN D. DAVISTON, JR., :
Plaintiff, :
: :
v. : : CIVIL ACTION NO. 21-CV-4394
: :
BID PROPERTIES, LLC, *et al.*, :
Defendants. :
:

ORDER

AND NOW, this 19th day of October, 2021, upon consideration of Plaintiff Alvin D. Daviston, Jr.'s Motion to Proceed *In Forma Pauperis* (ECF No. 1), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Clerk is **DIRECTED** to add as Defendants on the docket of this case "Office of Tax Claim Bureau" and "Office of Delaware County Sheriff."
4. For the reasons stated in the Court's Memorandum, Daviston's federal constitutional claims against all Defendants are **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
5. All state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
6. The Clerk of Court is **DIRECTED** to close this case.

BY THE COURT:

/s/ Juan R. Sánchez

JUAN R. SÁNCHEZ, C.J.